

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : :

v. : **CRIMINAL NO. 12-183 (JRS)**

**KAI KPAAN** : :

**ORDER**

AND NOW this                    day of                   , 2012, upon motion of the United States  
requesting that the indictment in the above-captioned case be dismissed, and with no objection  
thereto, it is hereby

**ORDERED**

that the indictment in the above-captioned matter is dismissed without prejudice.

**BY THE COURT:**

---

**HONORABLE JUAN R. SANCHEZ**  
*United States District Judge*  
*Eastern District of Pennsylvania*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : :

v. : CRIMINAL NO. 12-183 (JRS)

KAI KPAAN : :

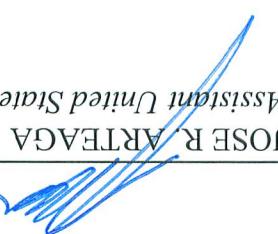
**GOVERNMENT'S MOTION TO DISMISS INDICTMENT**

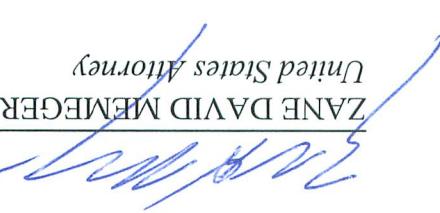
The United States of America, by Zane David Memeger, United States Attorney for the Eastern District of Pennsylvania, and Jose R. Arteaga, Assistant United States Attorney for the district, submits this motion to dismiss the indictment in the above-captioned.

1. On April 19, 2012, a federal grand jury returned a two-count indictment charging Kai Kpaan with violating Title 18, United States Code, Section 2119 (*armed carjacking*) (one count); and Title 18, United States Code, Section 924(c) (*using and carrying a firearm during and in relation to a crime of violence*) (one count). That indictment was docketed at Criminal No. 12-183.

2. Following defendant's initial appearance on May 24, 2012, the government learned from Immigration and Custom Enforcement authorities that defendant Kai Kpaan, a native and citizen of Liberia, was a juvenile at the time of the offense conduct.

3. Defendant Kai Kpaan has been certified as an adult by the Philadelphia Court of Common Pleas and is presently being prosecuted for the same offense conduct by the Philadelphia District Attorney's Office in *Commonwealth v. Kai Kpaan* under Docket No. CP-51-CR-0014452-2011. Defendant Kpaan's next court date in the Court of Common Pleas is scheduled for July 17, 2012.

  
JOSE R. ARTEAGA  
Assistant United States Attorney

  
ZANE DAVID MERGER  
United States Attorney

Respectfully submitted,

WHEREFORE, the government respectfully requests that the indictment in  
Criminal No. 12-183 be dismissed without prejudice as to defendant Kai Kpaa.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing government's motion to dismiss the indictment will be served by United States mail, first class postage prepaid, on:

**CATHERINE C. HENRY, ESQUIRE**  
Defender Association of Philadelphia  
Federal Court Division  
The Curtis Center Building  
601 Walnut Street  
Suite 540 West  
Independence Square West  
Philadelphia, PA 19106

  
JOSE R. ARTEAGA  
*Assistant United States Attorney*

Dated: